

## Senate Concurrent Resolution No. 49

### RESOLUTION CHAPTER 135

Senate Concurrent Resolution No. 49—Relative to prevailing wage rates.

[Filed with Secretary of State September 18, 2003.]

#### LEGISLATIVE COUNSEL'S DIGEST

SCR 49, Burton. Prevailing wage rates: chartered cities.

Existing law generally requires the payment of not less than the prevailing rate of per diem wages and not less than the prevailing rate for holiday and overtime work to persons employed on public works projects that cost more than \$1,000. Existing law requires the Director of Industrial Relations to determine these wage rates and to provide these wage rates to an awarding body, as defined, that requests them.

This measure would reaffirm the intent of the Legislature for the prevailing wage law to apply to all projects subsidized with public funds, including the projects of chartered cities.

WHEREAS, The Legislature has declared that the payment of prevailing wages on public projects is a matter of statewide concern; and

WHEREAS, Payment of the prevailing rate of per diem wages to workers employed on public projects is necessary to attract the most skilled workers for the project and to ensure that work of the highest quality is performed on these projects; and

WHEREAS, Public works projects should never undermine the wage base in a community and the requirement that workers on public works projects be paid the prevailing rate of per diem wages ensures that the local wage base is not lowered (Sec. 1, Ch. 892, Stats. 2002; Sec. 1, Ch. 868, Stats. 2002); and

WHEREAS, The Court of Appeal held in *City of Long Beach v. Department of Industrial Relations* (1 Cal.Rptr.3d 837 (2003 Cal.App. Lexis 1050)), that the state's prevailing wage law addresses matters of statewide concern and therefore applies to projects subsidized by all public agencies, including chartered cities; and

WHEREAS, The state's system for promoting quality apprenticeship training in the construction trades depends upon the incentives provided by the prevailing wage law; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring*, That the Legislature reaffirms its intent for the state prevailing wage law to apply broadly to all projects subsidized with

public funds, including the projects of chartered cities, as the law addresses important statewide concerns; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

